

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

REBECCA FRANCESCATTI,)	
)	
)	
)	
Plaintiff,)	No. 1:11-cv-05270
)	
v.)	
)	
STEFANI JOANNE GERMANOTTA)	Honorable Marvin E. Aspen
p/k/a LADY GAGA, INTERSCOPE RECORDS,)	Magistrate Judge Jeffrey T. Gilbert
UNIVERSAL MUSIC GROUP, INC.,)	ECF CASE
DJ WHITE SHADOW, LLC, and)	
BRIAN JOSEPH GAYNOR,)	JURY TRIAL DEMANDED
)	
Defendants.)	

**DEFENDANTS' MOTION FOR LEAVE TO FILE A REPLY BRIEF OF UP TO
TWENTY PAGES IN LENGTH IN FURTHER SUPPORT
OF THEIR COMBINED MOTION FOR SUMMARY JUDGMENT**

Defendants Stefani Joanne Germanotta p/k/a Lady Gaga, Interscope Records/Universal Music Group, Inc.,¹ DJ White Shadow, LLC, and Brian Joseph Gaynor (“Defendants” and, together with the Plaintiff, the “Parties”), by and through their undersigned counsel, hereby respectfully move (the “Motion”) this Court for an Order permitting them to file a reply brief in further support of their combined motion for summary judgment that is up to twenty (20) pages in length. In support of this Motion, the Defendants state as follows:

1. Following the completion of discovery on liability issues in this copyright infringement case, the parties commenced dispositive motion practice. To minimize repetition in the Defendants’ positions regarding liability issues and to make the dispositive motion practice most efficient, Defendants filed a combined motion for summary judgment on liability issues.

¹ Plaintiff’s Complaint was brought incorrectly against Interscope Records and Universal Music Group, Inc. UMG Recordings, Inc. is the property part in interest.

Defendants sought leave to include more than fifteen pages in their brief, as well as additional facts in their Local Rule 56.1 Statement. (Docket No. 111.) Pursuant to this Court's order of February 19, 2013 (Docket No. 114), Defendants filed a 30-page memorandum in support of their combined motion for summary judgment on liability issues (the "Motion for Summary Judgment") on March 4, 2013. (Docket No. 119.)

2. When responding to the Motion for Summary Judgment, Plaintiff sought leave to file a 30-page brief in opposition as well as a nine-day extension of the time for filing that brief. (Docket No. 135.) Defendants consented to Plaintiff's request for extra pages and extra time. (*Id.*) Pursuant to this Court's order of March 26, 2013 (Docket No. 141), on April 10, 2013, Plaintiff filed a 30-page brief in opposition to the Motion for Summary Judgment. (Docket No. 145.)

3. Defendants respectfully request that they be permitted to file a reply brief in further support of the Motion for Summary Judgment that is up to 20 pages in length. Even with this five-page extension, the reply brief would be shorter than the opening briefs filed by the Parties and shorter than the sixty pages to which Defendants would be entitled on reply under the local rules, should each Defendant have filed a separate motion for summary judgment.

4. Defendants need these additional five pages in order to fully address all issues in this summary judgment briefing.

5. This Motion is being made in good faith and not for the purpose of hindering or delaying these proceedings.

6. No Party will suffer prejudice if the Court grants this Motion.

7. In light of the circumstances described above, granting this Motion would serve the interests of justice.

8. Counsel for Plaintiff refused to consent to this Motion.

WHEREFORE, Defendants respectfully request that this Court grant their Motion and enter an Order permitting Defendants to file a reply brief in further support of their combined motion for summary judgment that is up to twenty pages long.

Dated: April 17, 2013

Respectfully submitted,

/s/Catherine J. Spector

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CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served with a copy of the foregoing document via the Court's CM/ECF system on this 17th day of April, 2013.

/s/ Catherine J. Spector
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